

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**TERRAFORM LABS PTE LTD.
and DO HYEONG KWON,**

Defendants.

No. 23 Civ. 1346 (JSR)

Hon. Jed S. Rakoff

**DEFENDANTS TERRAFORM LABS PTE LTD.'S PROPOSED VOIR
DIRE**

Pursuant to the Court's Case Management Plan, and paragraph 8 of the Individual Rules of Practice of Honorable Jed S. Rakoff, Defendants Terraform Labs Pte Ltd and Do Hyeong Kwon respectfully submit the following proposed voir dire questions, in addition to the Court's usual questions. The Court is also requested to pursue more detailed questioning if a particular juror's answer suggests that further inquiry is appropriate.

A. PRELIMINARY STATEMENT

The Securities Exchange Commission (the "Government") is the Plaintiff and brought this case against the defendants Terraform Labs Pte Ltd ("Terraform Labs") and Kwon Do Hyeong ("Mr. Kwon") (together, the "Defendants"). Terraform Labs is a computer software development company based in Singapore. Mr. Kwon is a Korean citizen who co-founded Terraform Labs. Defendants created a computer technology product called the Terra blockchain and two cryptocurrencies called UST and LUNA, both of which resided on the Terra blockchain.

Defendants later created the Anchor Protocol and Mirror Protocol, which were applications that operated on the Terra blockchain.

B. KNOWLEDGE OF PARTIES, COUNSEL, OR WITNESSES

1. The Plaintiff in this case is the United States Securities and Exchange Commission, which is sometimes known as the SEC.
 - a. Have you ever had any dealings with the SEC?
 - b. Has any member of your family or a close friend ever had any dealings with the SEC?
2. One Defendant in this case is Terraform Labs (which I may refer to as “Terra” or “TFL”), a computer software development company based in Singapore. Another Defendant in this case is Kwon Do Hyeong, a Korean citizen who co-founded Terraform Labs. Terraform Labs and Mr. Kwon created and supported a computer technology product called the Terra blockchain and two cryptocurrencies called UST and LUNA. They also supported the community that used that blockchain, and helped create and support several systems that operated on that blockchain, including the Anchor Protocol and the Mirror Protocol.
 - a. Have any of you ever had any dealings with Terraform Labs that you are aware of?
 - b. Has any member of your family or someone close to you ever had any dealings with Terraform Labs?
 - c. Do you know, or know of, Mr. Kwon?
 - d. Have you, a member of your family, or someone close to you ever had any dealings with Mr. Kwon?
3. Have you, any member of your family, or someone close to you purchased, held or sold the cryptocurrencies known as UST or LUNA?

4. Have you, any member of your family, or someone close to you purchased, held or sold any other Terra blockchain cryptocurrencies, including MIR, ANC, or mAssets??
5. Have you, any member of your family or someone close to you used any of the systems on the Terra blockchain, including Anchor (which is a lending and borrowing protocol) or Mirror (which creates digital assets that mirror the price of real life assets such as gold or Apple stock)?
6. The lawyers representing the SEC are Devon Staren, Christopher Carney, James P. Connor, Laura E. Meehan, Carina Cuellar, Michael Welsh, and Roger J. Landsman. Do any of you know, or know of, these attorneys?
7. The lawyers representing TFL are Douglas Henkin, Mark Califano, David Kornblau, Louis Pellegrino, Melissa Gomez Nelson, Matthew Lafferman, Justine Margolis, and Amianna Stovall, assisted by paralegals Michael Cruz, Diane Armstrong, and Sarah Gonzalez, who are with the law firm Dentons US LLP. Do any of you know these attorneys? Have any of you been involved with their law firm Dentons US LLP?
8. The lawyers representing Mr. Kwon are David Patton, Michael Ferrara, Andrew Chesley, and Christopher Morel, assisted by law clerk Ciara Cooney and paralegals Jacqueline Baum and Alison Hurst, who are with the law firm Kaplan Hecker & Fink LLP. Do any of you know these individuals? Have any of you been involved with their law firm Kaplan Hecker & Fink LLP?
9. You will hear from or about several other people during the course of this trial. Do you know, or know of, any of the following individuals?
 - a. Arash Vakil
 - b. Boris Revsin
 - c. Jonathan Kol

- d. Ashwin Mathialagan
- e. Aaron Myung
- f. Christopher Ferrante
- g. Paul Kim
- h. Dr. Matthew Edman
- i. Nader George
- j. James Hunsaker
- k. Brian Curran
- l. Jeff Kuan
- m. Brandon Ackley
- n. Matthew Lambert
- o. Kanav Kariya
- p. William DeSomma
- q. Dr. Bruce Mizrach
- r. Chris Amani
- s. Matt Cantieri
- t. SJ Park
- u. Zion Schum
- v. Evgeny Gaevoy
- w. Marina Gurevich
- x. Professor Hendershott

C. PRETRIAL PUBLICITY

10. Have you read, seen, or heard anything about this case, Mr. Kwon, Terra, UST, LUNA, or Terraform Labs? [If yes, side bar]

D. NATURE OF THE CLAIMS

11. Have you, or a family member, or someone close to you been the victim of fraud?
12. Have you, a family member, or someone close to you been a victim of a fraud involving cryptocurrency?
13. Have you ever been cheated out of a significant amount of money?
14. Do you generally trust the U.S. Government?
15. If the U.S. Government brings a case, do you believe that it is probably supported by evidence?

E. RELATIONSHIP WITH THE GOVERNMENT

17. Do you know or have any association—professional, business, or social, directly or indirectly—with any member of the staff of the Securities Exchange Commission or any other federal agency? Would this affect your ability to serve as a fair and impartial juror to this case?
18. Does any family member or someone close to you know or have any association—professional, business, or social, directly or indirectly—with any member of the staff of the Securities Exchange Commission or any other federal agency? Would this affect your ability to serve as a fair and impartial juror to this case?
19. Have you ever worked for any branch or department of the government?
20. Has any family member or someone close to you ever worked for any branch or department of the federal government?
21. Do you know or have any association—professional, business, or social, directly or indirectly—with any member of the staff of any regulatory enforcement or law

enforcement agency, ? Would this affect your ability to serve as a fair and impartial juror in this case?

22. Does a family member or someone close to you know or have any association—professional, business, or social, directly or indirectly—with any member of the staff of any regulatory enforcement or law enforcement? Would this affect your ability to serve as a fair and impartial juror in this case?

F. CRYPTOCURRENCY / FINANCIAL INDUSTRY

23. Raise your hand if you are not familiar with cryptocurrency, the cryptocurrency markets, or crypto-currency businesses?
24. Do you have a negative opinion about cryptocurrency, the cryptocurrency markets, cryptocurrency businesses, or people who work in cryptocurrency?
25. Have you, a family member, or someone close to you ever lost money trading or owning cryptocurrency or crypto assets?
26. Do you believe there should be more government regulation of cryptocurrency companies?
27. Have you ever invested in the stock market?
- a. If yes, currently or in the past?
28. Have you, or a family member, or someone close to you ever lost money trading in the stock market?
29. Have you, a family member, or someone close to you ever worked in finance?
30. Have you, a family member, or someone close to you ever worked for a start-up or technology company?

G. PRIOR JURY SERVICE

31. Have you ever been a juror before?

a. If yes, was it a civil or criminal case?

b. Without saying what it was, did the jury reach a verdict?

32. Have you ever been personally involved in a lawsuit, whether as a plaintiff, defendant, or witness?

33. Have you ever been personally involved in a fraud lawsuit, whether as a plaintiff, defendant or witness?

34. Have you, any members of your family, or any close friends ever been charged with a criminal offense, other than a minor traffic violation? If so, please explain the circumstances.

Dated: New York, New York
March 20, 2024

Respectfully submitted,

DENTONS US LLP

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